



Individual Complaint Form Instructions and Procedure

Please contact the **Office of Regulatory Staff (ORS)** at 803-737-5230 (Columbia, SC) or 800-922-1531 (toll free) to attempt to informally resolve this issue prior to filing an official complaint with the Commission.

A. To file an official complaint:

1. Complete the **Complaint Form** found on the Commission's website at www.psc.sc.gov.

a.) The form may be completed and e-mailed to contact@psc.sc.gov.

b.) Alternatively, a blank copy of the form may be printed, filled out, and then mailed or faxed to the Commission.

2. Individuals do not need to have legal representation to represent themselves before the Commission, but a corporation, partnership, limited liability company, or group of people or association must be represented by legal counsel. Neither the Commission nor the ORS can provide legal advice.

3. If additional documentation is necessary to supplement your complaint, attach it to the form. **The Public Service Commission of South Carolina has adopted the same standards regarding protection of personal identifying information as are in place in the various state courts (except Family and Probate Courts). These are set out in Rule 41.2(a) of the South Carolina Rules of Civil Procedure and are listed below:**

- a) **Redaction.** A person filing a document in paper or electronic format shall not include, or will redact where inclusion is necessary, the following personal identifying information.
- b) **Social Security Numbers, Taxpayer Identification Numbers, Driver's License Numbers, Passport Numbers or Any Other Personal Identifying Numbers.** If it is necessary to include personal identifying numbers in a document, the parties should utilize some other identifier. Parties shall not include any portion of a social security number in a filing.
- c) **Names of Minor Children.** If a minor is the victim of a sexual assault or the victim in an abuse or neglect case, the minor's name must be completely redacted and a term such as "victim" or "child" should be used. In all other cases, the minor's first name and first initial of the last name (i.e., John S.), or only the minor's initials (i.e., J.S.) should be used.
- d) **Financial Account Numbers, Including Any Type of Bank Account Numbers, Personal Identification Number (PIN) Code, or Passwords.** If financial account numbers are relevant, only the last four digits of these numbers should be used.
- e) **Home Addresses of Minors, Sexual Assault and Abuse and Neglect Victims, and Non-Parties.** If a home address of a minor, sexual assault victim, or non-party must be included, only the city and state should be used.
- f) **Date of Birth.** If a date of birth must be included, only the year of birth should be included.

Individuals who file documents with the Public Service Commission are hereby notified that their filings will be made available to the public on the Commission's searchable Docket Management System. The Public Service Commission assumes no responsibility for redacting personal identifying information from any filings. It is solely the responsibility of the filer to ensure that no personal identifying information is made public by inclusion in his or her filings.

I have read and understand the Public Service Commission's policy pertaining to privacy protection for filings.

Signature of Filer:

Randy H. Hight
Charles H. Hight

4. The Commission hears matters involving regulated utilities, but cannot award any monetary damages other than refunds for overpayments.
 5. Complete the section of the form regarding publishing the contents of the complaint on the Commission's website (dms.sc.gov).
 6. Complete the Verification section of the form. The form must be dated and signed before it will be processed. The information presented in the complaint form will serve as your pre-filed testimony for your case. It is important that your Statement of Facts be accurate and concise.
- B. Your complaint will be processed by the Clerk's Office and assigned a docket number.
- C. A Hearing Examiner will be appointed to your case.
- D. You will receive a letter notifying you of the date of your hearing before the Commission.
- E. After the Docketing Department has assigned a docket number, you can review your case online by accessing the Commission's **Docket Management System (DMS)** (<http://dms.psc.sc.gov/dockets>). To view your case, enter the docket number assigned to your case. The docket number is in the format yyyy-xxx-l (e.g. 2009-401-E) and will be located on any correspondence to you from the Commission.
- F. After the docket is established, any mailings or requests to the Commission must be copied to all parties of record listed in the docket.
- G. You must continue to make timely payments on any undisputed amounts on your account while your case is pending before the Commission or your service may be disconnected.**



Individual Complaint Form

Date*: 06/01/2020

Complainant or Legal Representative Information: * Required Fields

Name * Randy and Cheryl Gilchrist
Firm (if applicable) _____
Mailing Address * 3010 Lake Keowee Lane
City, State Zip * Seneca, SC 29672 Phone * 864-903-0375
E-mail _____

Name of Utility Involved in Complaint: * Duke Energy

Type of Complaint (check appropriate box below.) *

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> Billing Error/Adjustments | <input type="checkbox"/> Deposits and Credit Establishment | <input type="checkbox"/> Wrong Rate | <input type="checkbox"/> Refusal to Connect Service |
| <input type="checkbox"/> Disconnection of Service | <input type="checkbox"/> Payment Arrangements | <input type="checkbox"/> Water Quality | <input type="checkbox"/> Line Extension Issue |
| <input type="checkbox"/> Service Issue | <input checked="" type="checkbox"/> Meter Issue | | |
| <input type="checkbox"/> Other (be specific) _____ | | | |

Have you contacted the Office of Regulatory Staff (ORS)? * ☒ Yes ☐ No Name of ORS Contact: Brad Kirby

Concise Statement of Facts/Complaint: * (This section must be completed. Attach additional information to this page if necessary.)

Since July 3, 2017, Duke Energy has repeatedly attempted to coerce us into accepting a smart meter. We have consistently objected to - and denied consent for - this installation. We believe the meters represent a health hazard, and violate our right to privacy, a right protected by the U.S. Constitution and the State of South Carolina Constitution. On October 10, 2019, Duke Energy did trespass and install a smart meter, which was over our objections and without our consent.

Relief Requested: * (This section must be completed. Attach additional information to this page if necessary.)

We want the smart meter removed and replaced with the mechanical, analog meter we had when service was initiated. We do not want to be charged a fee for opting out, as we should not be charged a fee for the exercise of common law rights.

****I GIVE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA PERMISSION TO PUBLISH THIS COMPLAINT AND ITS CONTENTS ON THE COMMISSION'S WEBSITE (dms.psc.sc.gov), AND I UNDERSTAND SUCH INFORMATION MAY BE SUBJECT TO PUBLIC SCRUTINY OR FURTHER RELEASE.** ☐ ☐

Complainant's Signature * (MUST BE SIGNED, DO NOT PRINT)

STATE OF SOUTH CAROLINA)
COUNTY OF Oconee)

VERIFICATION

I, Randy & Cheryl Gilchrist verify that I have read my complaint filed on 6/1/2020
Complainant's Name * Date *

and know the contents thereof, and that said contents are true.

Complainant's Signature * (MUST BE SIGNED, DO NOT PRINT)

Internal Use Only

Processed By	Date
H.E.	

Randy and Cheryl Gilchrist

3010 Lake Keowee Lane
Seneca, SC 29672

June 1, 2020

Certified Mail # 7018 0360 0001 8254 0346

Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Please respond to this letter in writing only

Re: Smart Meter

Dear Sir/Madam:

For the past two years (or more) we have been trying to get Duke Energy to replace a digital meter which was installed on our house with an analog/mechanical meter. They have instead pressured us to accept an "upgrade" – a smart meter which we have resisted – and we told them we do not consent. Recently, threatening to cut our power, and over our objections, they installed a smart meter on our house.

As you know, there is no federal security mandate for smart meters. And, as you also may be aware, there are numerous studies that raise serious concerns about the health and environmental hazards associated with these meters. Furthermore, the meters are in fact data collection devices that invade the privacy of the homeowner, collecting data that can be sold and used for purposes other than the provision of electrical services. The South Carolina Constitution protects the state's residents from invasions of privacy which these meters violate.

We did not wish to opt out; we did not see any reason to opt out. The question that Duke Energy should be asking is if their customers want to opt in. In our case we do not want to opt in, and we do not want to be extorted by the company to either accept their terms or have our power disconnected.

There are medical concerns at issue here, and we believe smart meters could aggravate the condition, so it is imperative that these meters be replaced with analog/mechanical meters as soon as possible.

We are entertaining the possibility of litigation in this matter and we are requesting the Public Service Commission to intervene and have Duke Energy replace the meter in question with the analog/mechanical meter and prevent Duke Energy from disconnecting our power while the matter is being litigated.

We have always paid our bill in a timely manner, and there is no issue of non-payment for services rendered in this case. We would appreciate a prompt reply from your office concerning these issues. Duke Energy seems to be of the impression that your agency has authorized them

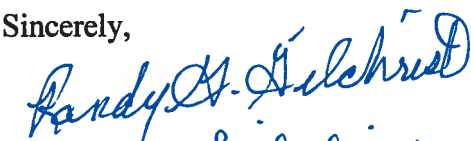

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to force people to accept these "smart" meters. We would like to see any regulations regarding the installation of these meters and we ask to be informed of any relevant regulations regarding smart meters that you have promulgated. Please direct all correspondence in writing to our address above.

Sincerely,

Randy and Cheryl Gilchrist

Cc: Senator Thomas Alexander
Representative Jeff Duncan